

03-18.05

2644  
DOCKET NO.: CS90041  
2005
**TRANSMITTAL  
FORM**

		Application Number	09/972,381
		Filing Date	10/05/01
		First Named Inventor	Fahey, Jenifer et al.
		Group Art Unit	2644
		Examiner Name	
Total Number of Pages in this Submission	4	Attorney Docket Number	CS90041

**ENCLOSURES**
**(check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-Related papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter with appropriate copies
<input type="checkbox"/> Extension of time Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> PTO/SB/08A
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> PCT Search Report
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> CD, Number of CDs	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53		

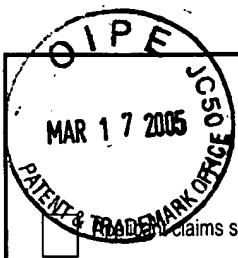
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual	Roland K. Bowler-II	Registration No.	33,477
Signature			
Date			

**CERTIFICATE OF TRANSMITTAL/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO to facsimile number \_\_\_\_\_ or deposited with the United States Postal Service with sufficient postage as Express Mail No. EV418001501US in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date listed below:

Typed or printed name	Jennifer Magness		
Signature			
	Date	3/17/05	



# FEE TRANSMITTAL

Patent fees are subject to annual revision  
Small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 0.00)

## Complete if Known

Application Number	09/972,381
Filing Date	10/05/01
First Named Inventor	Fahey, Jenifer et al.
Examiner Name	
Group Art Unit	2644
Attorney Docket No.	CS90041

## METHOD OF PAYMENT (check all that apply)

## FEE CALCULATION (continued)

### 4. ADDITIONAL FEES

Deposit Account:

Deposit Account Number

**502117**

Deposit Account Name

**Motorola, Inc.**

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments

Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17

Charge fees(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fee Paid (\$)
	Large Fee (\$)	Small Entity Fee (\$)	Large Fee (\$)	Small Entity Fee (\$)	Large Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

### 2. EXTRA CLAIM FEES

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

**Fees (\$)**

**Small Entity Fee (\$)**

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

**Fees (\$)**

**Fee Paid (\$)**

200

100

360

180

Multiple Dependent Claims

**Fees (\$)**

**Fee Paid (\$)**

360

180

Total Claims

**Extra Claims**

**Fee (\$)**

**Fee Paid (\$)**

- 20 or HP = **X** 50 = **Fee (\$)**

HP = highest number of total claims paid for, if greater than 3

Indep. Claims

**Extra Claims**

**Fee (\$)**

**Fee Paid (\$)**

- 3 or HP = **x** 200 = **Fee (\$)**

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee is \$250 (\$125 for small entity)

For each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets

**Extra Sheets**

**Number of each additional 50 or fraction thereof**

**Fee (\$)**

**Fee Paid (\$)**

- 100 = **/50 = (round up to a whole number)** **X 250 = Fee (\$)**

### SUBMITTED BY

Name (Print/Type) **Roland K. Bowler**

Signature

### 5. OTHER FEE(S) (specify)

Non-English Specification, \$130 fee (no small entity discount)

**Fee Paid (\$)**

Registration No.

33,477

Telephone

847-523-3978

Date

**3-17-05**



DOCKET NO.: CS90041

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Fahey, Jenifer et al. Group Art Unit: 2644  
Application No.: 09/972,381 Examiner:  
Date Filed: 10/05/01  
Title: Mobile Wireless Communication Handset with Sound Mixer and Methods Therefor

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner For Patents  
Alexandria, VA 22313

SIR:

In accordance with 37 C.F.R. §1.56 and in compliance with 37 C.F.R. §§1.97 and 1.98, the references listed on attached Form PTO/SB/08 and/or subsequently identified herein, are for consideration by the United States Patent and Trademark Office. Pursuant to the Office waiving the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC §371 after June 30, 2003, copies of the reference are not submitted herewith.

I.  **THIS IDS IS BEING FILED UNDER 37 C.F.R. §1.97(b)-(d):** (check only one box)

- a.  within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; before the mailing date of a first Office Action on the merits; and/or before the mailing date of a first Office Action after the filing of a request for continued examination under § 1.114. No fee or statement is required.
- b.  before the mailing date of any of a Final Office Action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application. Petition fee set forth in §1.17(p) is required unless a statement under 37 C.F.R. §1.97(e) is provided.
- c.  on or before payment of the issue fee. Petition fee set forth in §1.17(p) and a statement under 37 C.F.R. §1.97(e) are required.

II.  **STATEMENT UNDER 37 C.F.R. §1.97(e):** (check only one box, if applicable)

The undersigned hereby states that

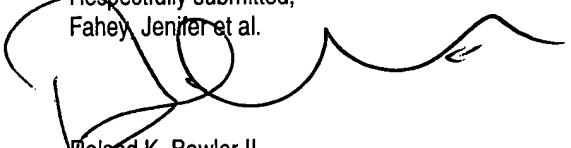
- a.  each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of IDS; or
- b.  no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and to knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement, or
- c.  some of the items of information contained in the IDS were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement.

III. PAYMENT OF FEES

- A check in the amount of \_\_\_\_\_ is enclosed for the above-identified fee(s).
- Please charge Deposit Account 502117 in the amount of \$\_\_\_\_\_ for the above-indicated fee(s).
- If Applicant has overlooked any additional fees, or if any overpayment has been made, the Commissioner is hereby authorized to credit or debit Deposit Account 502117.
- Two Copies of this paper are attached for Deposit Account charges and debits.

The above references are being cited only in the interests of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in a combination, to a person of ordinary skill in the art.

Respectfully submitted,  
Fahey, Jenifer et al.

  
Roland K. Bowler II  
Attorney for Applicant(s)  
Reg. No. 33,477  
Tel. 847-523-3978

MOTOROLA, INC.  
Customer Number 20280

Enclosures:  Information Disclosure  
Statement by Applicant  
 References  
 Foreign Search Report  
 Other:



DOCKET NO.: CS90041

PTO/SB/08A (04-03)

<p>Substitute for form 1449A/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p>(use as many sheets as necessary)</p>				<i>Complete if Known</i>	
				Application Number	09/972,381
				Filing Date	10/05/01
				First Named Inventor	Fahey, Jenifer et al.
				Group Art Unit	2644
				Examiner Name	
Sheet	1	of	1	Attorney Docket Number	CS90041

## U. S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation, if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.